

Application No.: 09/912,854
Amendment Dated: December 8, 2004
Reply to Office Action of: September 8, 2004

MTS-3264US

Remarks/Arguments:

Claims 27-44 are pending. Claims 45 and 46 are newly added.

Section 103 Rejections

Claims 27 and 37 have been rejected as being obvious in view of Roos and Johnson. Applicants respectfully submit that this rejection is overcome for the reasons set forth below.

Amended claim 27 now includes features which are not suggested by the cited references, namely:

- (a) obtaining by a user, from an appliance provider an appliance at a special purchase price **using a web page provided through a first communication line by a web page providing means of the appliance provider;**
- (c) measuring by a power management means installed at the home of the user, the value of the electric power consumed by the appliance when operating in step (b);
- (d) transmitting, **through a second communication line, which is a communication line separate from the first communication line, from an automatic measurement means installed at the home of the user,** the measurement value of the electric power consumed in step (c) to a **computer database** of an electric power provider;
- (e) accumulating in the **computer database** the amount of power measured in step (c);
- (f) charging, after installation of the appliance, the user **based on the accumulation in the computer database** a predetermined fee for the amount of power accumulated in step (e) at a higher rate than a previous rate charged by the electric power provider for consumed electricity; and

- (g) providing **through a third communication line which is a communication line separate from both the first communication line and the second communication line, based on the accumulation in the computer database**, a portion of the calculated fee charged to the user in step (f) **directly** to the separate appliance provider to offset the special purchase price in step (a).

Claim 27 has been amended to set forth that a web page is provided through a first communication line by a web page providing means of the appliance provider to the user to obtain from the appliance provider an appliance at a special purchase price. Claim 27 has further been amended to recite that a second communication line, which is separate from the first communication line, is provided from an automatic measurement means installed at the home of the user for sending the measurement value of the electric power consumed to a computer database belonging to the electric power provider. Claim 27 has further been amended to recite that the computer database accumulates the amount of power that is measured and transmitted through the second communication line. Claim 27 has also been amended to recite that charging the user a predetermined fee for the amount of power consumed is based on the accumulation in the computer database. Finally, claim 27 has been amended to recite that a third communication line, which is separate from both the first communication line and the second communication line, provides a portion of the calculated fee charged to the user directly to the appliance provider to offset the special purchase price.

The claim now includes more structure based on the first, second, and third communication lines. Measurements, charges, payments and offset payments are made through these communication lines which are based on the computer database.

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Roos teaches a method for providing an interface box between a digital network and a home. As admitted by the Office Action, Roos does **not** suggest **purchasing the appliance at a special price, where a part of the fee paid is allocated to the manufacturer (the appliance provider) that has sold the appliance.** Furthermore, Roos does **not** disclose features of subparagraph (a), namely: obtaining by the user from an appliance provider an appliance at a special purchase price, **using a webpage provided through a first communication line** by the appliance provider. Furthermore, Roos does **not** disclose features of subparagraph (d), namely: transmitting through a second communication line which is separate from the first communication line the measurement value of the electric power consumed from an automatic measurement means installed at the home of the user to a **computer database belonging to the electric power provider.** Furthermore, Roos does **not** disclose features of subparagraph (f), namely: charging, after installation of the appliance, the user, **based on the accumulation in the computer database** a predetermined fee for the amount of power accumulated. Finally, Roos does **not** disclose features of subparagraph (g), namely: providing through **a third communication line, which is separate from both the first communication line and the second communication line, a portion of the calculated fee charged to the user, directly to the appliance provider to offset the special purchase price.**

Johnson discloses a computer assisted sales system for utilities, where rebates are provided for purchasing or installing more energy efficient equipment. Johnson, however, does **not** suggest the new features enumerated above, and the structure enumerated above.

Reconsideration is requested for amended claim 27. Claims 28-36 depend from amended claim 27 and, therefore, are not subject to rejection in view of the cited references for at least the same reasons set forth for amended claim 27.

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Although not the same, claim 37 includes features similar to amended claim 27. These features include - among others - first, second, and third communication lines which are used for separate communications between three separate entities, namely the electric power provider, the user, and the appliance manufacturer. These features are not suggested by any of the cited references.

Favorable reconsideration is requested for claim 37. Claims 38-44 depend from claim 37 and are, therefore, not subject to rejection in view of the cited references for at least the same reasons set forth for amended claim 37.

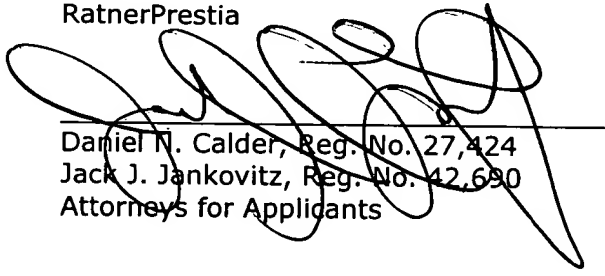
Although not the same, newly added claims 45 and 46 include features similar to claim 27. Claims 45 and 46 are, therefore, not subject to rejection in view of the cited reference for the same reasons set forth for amended claim 27.

Conclusion

Claims 27-44 and newly added claims 45-46 are in condition for allowance.

Respectfully submitted,

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Dated: December 8, 2004

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